

**BOARD OF SELECTMEN
MEETING MINUTES
December 22, 2003**

PRESENT: THOMAS C. REYNOLDS JR, CHAIRMAN; DOUGLAS R. COOK, Co CHAIRMAN; BRIAN MCDONALD, SELECTMAN; LEON G. METHOT, SELECTMAN.

ADMINISTRATIVE COORDINATOR: ROBERT CHRISTENSEN
RECORDING SECRETARY: KELLY BUMPUS

GUEST: Frank Campana, Matt Pelletier, Christine Hague, Chuck Metcalf.

The Selectmen's Meeting was held at the Town Office Building. Chairman Reynolds commenced the meeting at 6:33 p.m.

Chairman Reynolds asked that everyone stand for the Pledge of Allegiance.

1. PUBLIC PARTICIPATION

Chief Bob Richards – Chief Richards gave the Board a copy of a memo he sent to Personnel regarding events on December 20, 2003 at Clough State Park. The memo thanked all involved for their hard work. Chairman Reynolds read memo to the public. Memo entered into public record.

2. OLD BUSINESS

Tape Recorder –

Selectman Cook asked Mr. Christensen about a new tape recorder for the Selectmen's meetings. Mr. Christensen stated that he has looked into this and is waiting for the new year and new budget to make the purchase. Chairman Reynolds stated that the Board will need all budget information at next week's meeting.

Manifests –

Chairman Reynolds authorized the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated December 25, 2003. Accounts Payable - \$47,318.37, Gross Payrolls - \$31,401.43. For a total of \$78,719.80. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously.

Milfoil –

Selectman McDonald wanted to inform the Board that there was an article in the Union Leader regarding a lake in Merrimack County being 70% infested with milfoil. Selectman McDonald stated that the Board is on the right track addressing this issue.

Safety Complex –

Selectman Cook stated that the generator has arrived. He stated that there are some parts needed for the propane hook up. Selectman Cook stated that the Police Chief is planning the move for after the holidays.

Center Fire Station –

Selectman Cook asked if the Board is looking to put the Center Fire Station on a warrant article? Selectman McDonald stated that Parks and Recreation are interested in using it, but he is in favor of putting it to the voters. Selectman Cook stated that he would like to see the current building gone and some restrooms and maybe a recreation room put in its place. He stated that he will not be in favor of putting any money into the current building. Selectman Cook then discussed the possibility of having angled parking spaces in the location. He asked who they would speak to about getting an artist rendering of the ideas? The Board discussed contacting the high school and seeing if there is someone who is interested in drawing the ideas. Chairman Reynolds asked if the Board is in favor of the Center Fire Station on a warrant article? The Board agreed it should go on the warrant. The Board discussed the cost of replacing it as opposed to utilizing the current building. Selectman Cook stated that he will look into getting some figures.

Protective Shirts –

Chairman Reynolds asked Mr. Christensen if he had information regarding shirts for the Fire Department. Mr. Christensen informed the Board that the shirts are fire retardant and there is a grant that

will pay \$750 and the Town will pay \$750. Chief Bob Richards stated that the protective shirts are for brush fire season.

Computer Equipment –

Mr. Christensen informed the Board that there are five computers that need to be upgraded with latest version of Microsoft Office 2003. He stated the cost will be \$1,090 which is currently in the reserve fund.

Tape Recorder –

Selectman Cook requested that Mr. Christensen look into the cost of digital recording.

Ski Tickets –

Mr. Christensen informed the Board that the Town was sent four free lift tickets along with a calendar. The Board discussed forwarding the tickets to the high school. Selectman Cook requested that the tickets be sent back with thanks from the Board.

3. LIBRARY TRUSTEES

Mr. Paul Marsh met with the Board to discuss the library budget. Mr. Marsh informed the Board that they have met with the Benefit Review Committee as requested. He stated that with the exception of employees that have been with the library for around twenty years, all wages are at or below the middle of the range as suggested by the Benefit Review Committee. Selectman McDonald asked if the Board moves forward with the proposal if the Library Trustees are willing to attend the deliberative session? Mr. Marsh stated they will.

4. OLD BUSINESS

Shoveling –

Mr. Christensen informed the Board that Mr. Jim Blouin has helped out with the shoveling at the Town Hall and Town Office Building. Mr. Christensen asked what budget Mr. Blouin should be paid from? Selectman Cook stated that it should come from the custodial line. Mr. Christensen then asked at what rate should Mr. Blouin be paid? Chairman Reynolds stated that he should be paid at his current rate. Mr. Christensen stated that he had made the decision to pay him at the rate of the custodian for the previous two storms. The Board discussed

the pay rate. The Board agreed Mr. Blouin should be paid at the rate of custodian.

Building Department –

Mr. Christensen informed the Board that the secretary of the Building Department is out on medical leave. He stated that Mr. Stone is in need of a data entry person. The Board discussed several options. The Board agreed to place an ad for some part time help. Chairman Reynolds stated that in the meantime, Ms. Judy Rogers is welcome to perform some overtime if she is willing.

Southern New Hampshire Planning Commission –

Mr. Christensen stated that the Southern New Hampshire Planning Commission is looking for a point person for the Town. He stated that in the past this has been a member of the Conservation Commission. The Board instructed Mr. Christensen to contact the Conservation Commission regarding this.

Building Inspector Vehicle –

Mr. Christensen stated that Mr. Everett Stone is in need of some guidance regarding the purchase of a new vehicle. Mr. Christensen informed the Board that Mr. Stone has looked into State surplus and found a vehicle for about \$10,000. Selectman McDonald stated that when the Board instructed Mr. Stone to look into State surplus, they were not intending to spend that amount of money. The Board discussed lease options. Chairman Reynolds requested that Mr. Stone provide the Board with cost information to review.

5. ABIJAH BRIDGE

Mr. Gordon Russell met with the Board to discuss a barrier being added to Abijah Bridge to address wildlife concerns for the marsh. He stated that the DES, and Fish and Game are both in agreement that a barrier to keep the water level up when the lake is drawn down will be of great benefit. Mr. Russell stated that they will be writing a grant to pay for the cost of the barrier and is looking for the Board's blessing to have the work done when the bridge work is done. The Board agreed that the barrier should be done at the time the bridge work is done. Mr. Russell then asked the Board if the Town is willing to accept the barrier as part of the Bridge once the work is done? Selectman Cook

asked Mr. Carl Knapp's opinion on this subject. Mr. Knapp responded that he believes the Town would want to accept the barrier as part of the bridge. Mr. Russell stated that once a plan is in place he will be back to update the Board. Selectman McDonald asked Mr. Russell what Fish and Game's position is? Mr. Russell stated that Fish and Game have complained about the lowering of the lake affecting the marsh for many, many years. Selectman Cook asked Mr. Russell if he knew how long it will take to replenish the marsh? Mr. Russell stated that he was unsure. Chief Richards stated that if there is going to be water retained on the north end, he would like to see a dry hydrant there. Mr. Knapp stated he will look into this. Selectman Cook stated that they may want to have a back up plan in case a grant does not come through. The Board discussed conservation funds that may be available for this purpose. Selectman McDonald requested Mr. Christensen send a memo to the Conservation Commission to see if they would be in favor of this.

6. OLD BUSINESS

Employee Evaluations –

Mr. Christensen informed the Board that there are evaluations that need to be reviewed by the Board. Mr. Christensen provided the Board with the evaluations.

Transfer Station –

Chairman Reynolds asked Mr. Knapp if he has a number for waste removal? Mr. Knapp stated that it is about a \$36,000 increase. Chairman Reynolds requested Mr. Knapp have this number for Mr. Christensen to provide to the Board next week.

Highway Department –

Chairman Reynolds asked Mr. Knapp if he had anything he would like to discuss with the Board? Mr. Knapp stated that with the last three storms, the budget will be going over the bottom line by five or six thousand dollars.

Payroll –

Chairman Reynolds requested Mr. Christensen check with Ms. Pierson to verify if next week's salaries will fall under 2003 or 2004. Mr. Knapp

and the Board discussed the overage in the budget if the payroll for next week falls under 2003 budget.

Evaluation Form –

Selectman Cook informed Mr. Christensen that Chief Richards needs a copy of the new evaluation form.

Discontinued Roads –

Mr. Christensen asked the Board if abutters need to be notified of the upcoming warrant articles for discontinued roads? Selectman Methot stated that the abutters need to be notified by registered mail, 60 days prior to the warrant.

Warrant Articles –

The Board reviewed a draft of warrant articles provided by Mr. Christensen. Selectman McDonald stated that Parks and Recreation need to add one on milfoil and one to change the names of the ball field funds.

7. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 8:00 p.m. in regards to the Town petitioning the Department of Revenue Administration for the amount up to an additional \$40,000 to be used toward legal expenses. Chairman Reynolds stated that they have currently gone over the legal line by \$16,000 with additional issues currently in litigation. Selectman Cook stated that they originally petitioned the DRA for \$50,000 for clean up of a site, and only expended \$10,000 due to the State picking up a portion of the cost. Selectman Cook stated they have also just been served with another lawsuit in regards to the Holly Hill development. Chairman Reynolds asked for public comment. Frank Campana – Mr. Campana asked when the Board realized there was trouble with the legal line? Chairman Reynolds stated that it was a few months ago. Mr. Campana stated that he has gone back in the meeting minutes and can not find any mention of this matter. Mr. Campana asked the Board to direct him to the correct meeting minutes where this can be found. Mr. Campana stated that if this was not documented in the minutes, he feels it is an important issue and should have been documented. Mr. Campana asked if the request letter was in a form of a motion? Selectman McDonald stated that he is unsure if

a motion was made. Mr. Campana then asked if the Board is able to work within the bottom line of the budget? Chairman Reynolds stated that the Board is able to work within the bottom line of the budget. Mr. Campana stated that Selectman Cook had mentioned earlier that the Board needs to know where the budget stands. Mr. Campana asked how the Board knows that they need to petition DRA when they do not know where the budget currently stands? Chairman Reynolds stated that the Board does know that the legal line is over, and that there are other departments which will also be over. Chairman Reynolds stated that the Board has an idea of where the budget stands, and the Selectman Cook was speaking of exact numbers earlier. Mr. Campana then asked if there will be a spending freeze? He stated he remembers last year there was a spending freeze and will the Board be doing this again? Chairman Reynolds stated that they have done this again this year, but have not worded it as a spending freeze, only requested department heads only purchase what is absolutely necessary. Mr. Campana asked if it is the intention of the Board to give out employee bonuses and if so, does not feel DRA would look favorably on the request and bonuses given out. Selectman McDonald stated that last year they petitioned for funds and bonuses were given out. Mr. Campana stated that he will go back further in the meeting minutes and try to find mention of the legal line. Chairman Reynolds asked for any further public comment. Being none, Chairman Reynolds closed the Public Hearing at 8:20 p.m. Chairman Reynolds made motion to petition the DRA for the amount up to \$40,000 for legal expenses. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

8. CAPITAL IMPROVEMENT PROGRAM

The Board reviewed warrant articles for the Capital Improvement Program. The Board discussed money being requested for cemetery construction. The Board discussed starting a fund for vehicle replacement for the Building Inspector. The Board spoke with Chief Bob Richards regarding the CIP accounts for the Fire Department. Chief Richards discussed new equipment that is needed including a aerial truck with a pump and a new ambulance. The Board discussed lease to own options as opposed by buying the equipment outright. The Board had a brief discussion regarding the revenue that can be obtained by advertising on fire trucks. Selectman Cook stated that he

would like to see the aerial/pump truck on this year's warrant and the ambulance on next year. Chairman Reynolds asked Chief Richards to get the cost of lease to own ambulance. Chairman Reynolds asked Mr. Christensen to check with Ms. Pierson regarding the balance of the special revenue fund. The Board discussed the warrant for the aerial truck to be for \$100,000, and the balance to come from the special revenue fund. Selectman Cook stated he would still like to see \$48,500 put into the existing fire and rescue fund for the future. The Board then spoke with Mr. Carl Knapp regarding Public Works funds. There was a discussion on the gas boy maintenance fund, and Selectman Cook stated that they need to replenish this fund. The Board then spoke with Mr. Chuck Metcalf regarding Park and Recreation funds. Mr. Metcalf stated that they are requesting \$30,000 for fencing for Bolton Field. Mr. Metcalf discussed the warrant article regarding the name changes for the ball field funds. Selectman McDonald asked Mr. Christensen to have Ms. Pierson contact the DRA regarding the wording for these articles.

9. LAND USE PENALTY FEE

The Board met with Mr. Bill Webber regarding his discretionary easement and land use penalty fee. Mr. Christensen stated that he has met with Mr. Webber and Mr. Craig Nichols, previous Town Assessor. Mr. Christensen stated that Mr. Webber has filled out the discretionary easement application and Board signatures are needed. Mr. Christensen stated that the easement was created from two examples of easements and has been forwarded to the Town Attorney. He stated that once signed, it will also need to be notarized. Mr. Webber stated that they were never formally notified of the penalty fee. He stated that his business did not budget for this amount. He stated that they are willing to pay the penalty fee, but is requesting to pay it at the time of the next tax billing with interest. Mr. Webber explained that because of the timing of this, if it goes to the registry, they may be in breach of their mortgage. Selectman Cook stated that he has no problem with waiting until June for the payment. Chairman Reynolds stated that he also has no problem with this. Selectman Cook stated that the project is not yet complete and sees no reason why the payment can not be made at the time of the next tax billing. Selectman McDonald made a motion to authorize the Board to hold off on the land use penalty of \$10,000 until the next issue of the tax bill, plus interest.

Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

10. CAPITAL IMPROVEMENT PROGRAM

The Board resumed their discussion of the Capital Improvement Program and the warrant article requests from each department. The Board reviewed the requests from the Police Department. The Board then discussed the funds that fall under the Selectmen's budget. The Board discussed Town computer needs. Mr. Christensen asked the Board if they intend to update the Police Department's computers? Selectman Cook stated that he will speak with the Police Chief and see if the fund needs to be increased. Selectman Cook stated that regarding the building maintenance fund, this is not a fund to pull money for cleaning supplies and such. He stated that the fund is for large projects. Selectman Cook then discussed an employee retirement fund and stated that the auditors have identified an amount of \$180,000 if everyone were to quit today. He stated that they would like to see something started for this purpose. Chairman Reynolds stated that the Board needs to decide which of these articles are to be combined and which are to be separate. Chairman Reynolds stated that there is \$465,110 in existing CIP accounts. Selectman Cook stated that these should all be put on one warrant article. Selectman McDonald agreed. The Board agreed to combine the existing CIP accounts.

11. OLD BUSINESS

Projected Figures –

Chairman Reynolds informed Mr. Christensen that along with the budget figures next week, the Board will need projected figures for salary, etc.

Employee Bonuses –

Selectman McDonald stated that he does not see how the Board will be able to give out employee bonuses this year.

Fire Department –

Chief Richards gave the Board an updated budget and discussed the changes.

12. FACILITY USE FORM

Mr. Christensen informed the Board that according to discussions he has had with Primex, the Town is covered with regards to public use of space and greens. He stated that they informed him that the individual is not covered, but most individuals are covered by a home owner's policy. He stated that to protect the Town in the instance of a large lawsuit, Primex is recommending additional coverage. Mr. Christensen discussed the ATV club and the fact that they are under the impression that they are covered by the Town insurance, and are also having very much difficulty obtaining an insurance binder. Selectman McDonald stated that they should not require insurance for an individual to rent the Town Hall. The Board decided that Park and Recreation will handle the scheduling of the Town Hall and Fields and the facility use form will remain with the Town Office.

13. OLD BUSINESS

DRA Letter –

Selectman Cook discussed a letter from the DRA regarding recreational field improvement and development stating that they do not have authority to decide and have forwarded the issue to the Attorney General.

Master Plan Steering Committee –

Selectman Cook discussed a memo regarding the members of the Master Plan Steering Committee quitting. Selectman Cook asked for an explanation of this committee. Selectman McDonald explained that at a Planning Board Meeting addressing growth ordinances, a clipboard was sent around asking for volunteers for this committee. Selectman Cook asked why this was not publicly advertised. Selectman McDonald stated that he finds it strange that they are saying there is no interest in this issue and no members available because he knows of at least two people who volunteered and were never called. Selectman Cook stated that he wants to be a part of this process. He stated that if the process is not to that point yet, then he wants to know when that point comes and make sure the public is aware of it as well. He stated that he wants the Board of Selectmen office to be more involved with this matter. Selectman Methot suggested having Mr. Paul Morin come

in with an update. Selectman Cook stated that he is not sure if that is needed or if it is that Mr. Christensen needs to get involved and update the Board.

14. NEW BUSINESS

Canceled Selectmen Meeting –

Selectman McDonald stated that there is a Chairman of a committee that was upset that the previous week's meeting was canceled. Selectman Cook stated that he will take responsibility for that decision. Selectman Cook stated that due to the storm, people were running behind and after looking at the agenda felt there was nothing so pressing that it could not wait a week.

15. NONPUBLIC SESSION

Selectman Cook moved that the Board of Selectmen enter into Nonpublic Session at 11:28 p.m. pursuant to the authority granted in RSA 91-A:3 II (a) and (c). Seconded by Chairman Reynolds. A roll call vote was taken. Selectman Methot – yes; Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Chairman Reynolds, Selectman McDonald, Selectman Cook, Selectman Methot, Mr. Robert Christensen.

Selectman Cook moved to come out of Nonpublic Session. Seconded by Chairman Reynolds. A roll call vote was taken. Selectman Methot – yes; Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

16. ADJOURNMENT

Chairman Reynolds made a motion to adjourn. Seconded by Selectman Methot. A vote was taken. Motion passed unanimously.

A True Record

Kelly Bumpus, Recording Secretary